



STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.
ATTORNEYS AT LAW
1100 NEW YORK AVENUE, N.W. • WASHINGTON, D.C. 20005-3934
PHONE: (202) 371-2600 • FACSIMILE: (202) 371-2540 • www.skgf.com

#10 w 6/29/01
RECEIVED
1600/28 2001
TECH CENTER 1600/2900

ROBERT GREENE STERNE
EDWARD J. KESSLER
JORGE A. GOLDSTEIN
SAMUEL L. FOX***
DAVID K.S. CORNWELL
ROBERT W. ESMOND
TRACY-GENE G. DURKIN
MICHELE A. CIMBALA
MICHAEL B. RAY
ROBERT E. SOKOHL
ERIC K. STEFFE
MICHAEL O. LEE
STEVEN R. LUDWIG

JOHN M. COVERT
LINDA E. ALCORN
ROBERT C. MILLONIG
MICHAEL V. MESSINGER
JUDITH U. KIM
TIMOTHY J. SHEA, JR.
DONALD R. MCPHAIL
PATRICK E. GARRETT
JEFFREY T. HELVEY*
HEIDI L. KRAUS
JEFFREY R. KURIN
RAYMOND MILLIEN
PATRICK D. O'BRIEN

LAWRENCE B. BUGAISKY
CRYSTAL D. SAYLES
EDWARD W. YEE
ALBERT L. FERRO*
DONALD R. BANOWIT
PETER A. JACKMAN
MOLLY A. MCCALL
TERESA U. MEDLER
JEFFREY S. WEAVER
KRISTIN K. VIDOVICH
KENDRICK P. PATTERSON
DONALD J. FEATHERSTONE
GRANT E. REED

VINCENT L. CAPUANO
JOHN A. HARROUN*
ALBERT J. FASULO II*
ELDORA ELLISON FLOYD*
W. RUSSELL SWINDELL
THOMAS C. FIALA
BRIAN J. DEL BUONO*
VIRGIL L. BEASTON*
RYAN J. STAMPER*
KAREN R. MARKOWICZ**
SUZANNE E. ZISKA**
ANDREA J. KAMAGE**
NANCY J. LEITH**

ELIZABETH J. HAANES**
MARK P. TERRY**
JOSEPH M. CONRAD, III**
DOUGLAS M. WILSON**
REGINALD D. LUCAS**
ANN E. SUMMERFIELD**
CYNTHIA M. BOUCHEZ**
HELENE C. CARLSON**
BRUCE E. CHALKER**
DUSTIN T. JOHNSON**
MATTHEW J. DOWD**

*LIMITED TO MATTERS
AND PROCEEDINGS BEFORE
FEDERAL COURTS & AGENCIES
**REGISTERED PATENT AGENT
***SENIOR COUNSEL
WRITER'S DIRECT NUMBER:
(202) 371-2582
INTERNET ADDRESS:
PJACKMAN@SKGF.COM

June 27, 2001

Commissioner for Patents
Washington, D.C. 20231

Group Art Unit 1646

Re: U.S. Utility Patent Application
Appl. No. 09/688,371; Filed: October 12, 2000
For: **Recombinant, Replication Defective CELO Virus and
CELO Virus DNA**
Inventors: Cotten *et al.*
Our Ref: 0652.2150001/EKS/PAJ

Sir:

Transmitted herewith for appropriate action are the following documents:

1. First Supplemental Information Disclosure Statement (*in duplicate*);
2. One page of Form PTO-1449 citing one reference document; and
3. One copy of cited reference document AR29.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Commissioner for Patents
June 27, 2001
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Peter A. Jackman
Attorney for Applicants
Registration No. 45,986

PAJ:mlb:aye
Enclosures

P:\USERS\PIACKMAN\061221\19-0036\01 A\110 nup.pdf



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#10
JUN 29/01
RECEIVED

JUN 28 2001

In re application of:

Cotten *et al.*

Appl. No. 09/688,371

Filed: October 12, 2000

For: **Recombinant, Replication Defective
CELO Virus and CELO Virus DNA**

Confirmation No.: 5877

Art Unit: 1646

Examiner: *To be assigned*

Atty. Docket: 0652.2150001/EKS/PAJ

TECH CENTER 1600/2900

First Supplemental Information Disclosure Statement

Commissioner for Patents
Washington, D.C. 20231

Sir:

Listed on accompanying Form PTO-1449 is a document that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. A copy of this document is provided. The numbering of documents in this First Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Information Disclosure Statement, filed January 18, 2001, submitted in connection with the above-captioned application.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith. It is further understood that the Examiner will consider information that had been cited or submitted to the U.S. Patent and Trademark Office in a prior application relied on under 35 U.S.C. § 120. 1138 OG 37, 38 (May 19, 1992).

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449 and indicate in the official file wrapper of this patent application that the document has been considered.

This First Supplemental Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. No statement or fee is required.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this pleading is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Peter A. Jackman
Attorney for Applicants
Registration No. 45,986

Date: June 27, 2001

1100 New York Avenue, N.W.
Suite 600
Washington, D.C. 20005-3934
(202) 371-2600

P:\USERS\PJACKMAN\0652\215\1\idspldg_1_0652 2150001.wpd